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Mark Rose, Joseph Kupiec, John Pinjuv and
The Nevada Commercial Group, LLC

**UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF NEVADA**

NEWMARK GROUP INC., G&E)	
ACQUISITION COMPANY LLC, and BGC)	CASE NO.: 2:15-cv-00531-RFB-EJY
REAL ESTATE OF NEVADA LLC,)	
)	
Plaintiffs,)	
v.)	STIPULATION TO EXTEND
)	DEADLINES IN APRIL 24, 2020,
AVISON YOUNG (CANADA) INC., AVISON)	ORDER (ECF NO. 339)
YOUNG (USA) INC., AVISON YOUNG-)	
NEVADA LLC, MARK ROSE, THE NEVADA)	
COMMERCIAL GROUP, JOHN PINJUV,)	
JOSEPH KUPIEC, DOES 1 through 5, and ROE)	
BUSINESS ENTITIES 6 through 10.)	
)	
Defendants.)	

Plaintiffs Newmark Group Inc., G&E Acquisition Company LLC, and BGC Real Estate of Nevada, through their counsel, and Defendants Avison Young (Canada) Inc., Avison Young (USA) Inc., Avison Young-Nevada LLC, Mark Rose, Joseph Kupiec, John Pinjuv, and The Nevada

1 Commercial Group, through their counsel (together, the “Parties”), jointly submit the following
2 stipulation to extend the deadlines in the scheduling order entered on April 24, 2020 (the
3 “Scheduling Order”) (ECF No. 339):

4 1. On April 24, 2020, the Court entered an order granting Plaintiffs’ Motion for Leave
5 to Amend the Discovery Plan and Scheduling Order. (ECF No. 339.)

6 2. At telephonic hearings on April 6 and April 20, 2020, the Court entered rulings on
7 Plaintiffs’ Motion to Compel Directed to the AY Defendants and Plaintiffs’ Motion to Compel
8 Directed to the NCG Defendants. (ECF Nos. 334 & 338.)

9 3. At a telephonic hearing on May 13, 2020, the Court entered rulings on Plaintiffs’
10 Motion to Compel Directed to Third-Party Subpoena Recipients, Plaintiffs’ Motion for Protective
11 Order Regarding Defendants’ Rule 30(b)(6) Notice of Deposition, and Plaintiffs’ Motion for
12 Protective Order. (ECF No. 369.) Plaintiffs’ Motion for Protective Order is subject to further
13 briefing and is scheduled for oral argument on June 10, 2020. (ECF Nos. 369 & 370.)

14 4. On May 21, 2020, Plaintiffs filed their Motion to Compel Directed to the AY
15 Defendants, the NCG Defendants, and the Third-Party Subpoena Recipients, which is currently
16 being briefed. (ECF No. 374.)

17 5. On May 28, 2020, the Parties met and conferred on a series of discovery issues and
18 anticipate the potential need to seek Court intervention to assist with the resolution of discovery
19 matters for which the Parties are at an impasse.

20 6. The Parties have expressed a preference for in-person depositions (where and when
21 it is safe to do so), and ongoing conditions in light of the COVID-19 pandemic currently do not
22 allow for safely conducting in-person depositions.

23 7. Given that extensive additional discovery has been ordered to be searched in
24 conjunction with Plaintiffs’ first three Motions to Compel (including tens of thousands of
25 documents), and additional motions are pending before the Court and/or otherwise anticipated, the
26 Parties have agreed to the following extensions of the deadlines set forth in the Scheduling Order:

27 a. All document productions are to be completed by July 13, 2020.
28

1 b. The period for fact depositions will run from August 24, 2020
2 through November 25, 2020.

3 c. Initial expert disclosures shall be made in accordance with Fed. R.
4 Civ. Pro. 26 on or before January 15, 2021, with rebuttal expert disclosures due on
5 or before February 15, 2021.

6 d. Expert depositions are to be completed by March 15, 2020.

7 e. The dispositive motion deadline is April 15, 2021.

8 f. The joint pretrial report shall be filed within 60 days of decisions on
9 dispositive motions.

10 8. This stipulated extension is requested in good faith and made with good cause. The
11 ongoing COVID-19 pandemic has continued to impose significant disruptions to ordinary business
12 activities of all parties and counsel. Further, under the Court's orders to date, Defendants are
13 diligently reviewing more than 100,000 pages of documents and producing responsive non-
14 privileged documents to Plaintiffs on a rolling basis to expedite the production timeline as much as
15 possible. The Parties are in the process of briefing Plaintiffs' fourth Motion to Compel and the
16 Parties respectively anticipate filing additional Motions to Compel in the near future based on their
17 inability to reach a compromise on certain topics discussed on their May 28, 2020 meet and confer
18 telephone conference.

19 9. The Parties have further agreed that in order to permit the completion of all
20 document productions and to allow the Parties adequate time to review the voluminous productions
21 in advance of further fact depositions, that additional time is required across the entirety of the case
22 schedule.

23 10. The Parties' stipulated request is made in good faith and is the product of a
24 collaborative and cooperative effort by the Parties to identify a reasonable time frame to complete
25 their respective discovery endeavors. This stipulated extension is not intended to delay or
26 inconvenience the Court but, rather, seeks to preserve judicial economy and minimize the need for
27 unnecessary Court intervention.
28

11. The Parties reserve their rights to request an additional extension of the deadlines set forth above upon a showing of good cause to the Court.

IT IS SO ORDERED


UNITED MAGISTRATE JUDGE

June 1, 2020

DATED: _____

Submitted: May 29, 2020

Agreed to by:

By: /s/ Tina B. Solis

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